

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 98

Session of  
2007

INTRODUCED BY ADOLPH, TANGRETTI, BAKER, BENNINGHOFF, BEYER,  
CALTAGIRONE, CLYMER, CURRY, DALEY, DENLINGER, FABRIZIO,  
FRANKEL, FREEMAN, GEORGE, GIBBONS, GOODMAN, HARHAI, HARPER,  
HENNESSEY, JAMES, KOTIK, MAJOR, MARSICO, McILHATTAN, MELIO,  
R. MILLER, MURT, MUSTIO, O'NEILL, RAPP, REICHLEY, ROSS,  
SONNEY, WATSON, YOUNGBLOOD AND PETRARCA, JANUARY 30, 2007

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,  
JANUARY 30, 2007

AN ACT

1 Amending the act of November 24, 1976 (P.L.1163, No.259),  
2 entitled "An act relating to the prescribing and dispensing  
3 of generic equivalent drugs," providing for epilepsy  
4 prescription products.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 2 of the act of November 24, 1976  
8 (P.L.1163, No.259), referred to as the Generic Equivalent Drug  
9 Law, is amended by adding definitions to read:

10 Section 2. As used in this act:

11 "Antiepileptic drug" means:

12 (1) any drug prescribed for the treatment of epilepsy; or

13 (2) a drug used to treat or prevent seizures.

14 \* \* \*

15 "Epilepsy" means a neurological condition characterized by  
16 recurrent seizures.

1 \* \* \*

2 "Interchange" means the substitution of one version of the  
3 same antiepileptic therapeutic product, including a generic  
4 product for the brand product, a brand product for the generic  
5 product, a generic product by one manufacturer for a generic  
6 product by different manufacturer, a different formulation of  
7 the prescribed antiepileptic drug or a different antiepileptic  
8 therapeutic drug product for the antiepileptic product  
9 originally prescribed.

10 \* \* \*

11 "Seizure" means an acute clinical change secondary to a brief  
12 disturbance in the electrical activity of the brain.

13 Section 2. Section 3 of the act is amended by adding a  
14 subsection to read:

15 Section 3. \* \* \*

16 (g) A pharmacist may not interchange an antiepileptic drug  
17 or formulation of an antiepileptic drug, brand or generic for  
18 the treatment of epileptic seizures without prior notification  
19 of and the signed, informed consent of such interchange from the  
20 prescribing physician and patient, or patient's parent, legal  
21 guardian or spouse.

22 Section 3. This act shall take effect in 60 days.